

**** NOTICE:** This is only a preliminary draft of the City-County Council agenda prepared by the Council staff pursuant to Sec. 161-5(b) and may not be complete. The President of the Council has not determined the order of business for this meeting pursuant to Sec. 151-71. The agenda will be final only when approved by the Council at the meeting.

AGENDA

CITY COUNTY COUNCIL

AND THE

INDIANAPOLIS POLICE, FIRE, AND SOLID WASTE COLLECTION

SPECIAL SERVICE DISTRICT COUNCILS

September 17, 2007

7:00 P.M.

- I. PRAYER AND PLEDGE OF ALLEGIANCE - Councillor Langsford**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. OFFICIAL COMMUNICATIONS**
- V. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNALS – August 27, 2007**
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 386, 2007 (Council Resolution)

INTRODUCED: 09/17/2007 BY: Councillors Cain and Borst

REFERRED TO: Administration and Finance Committee

DIGEST: appoints Sue Tempero to the Equal Opportunity Advisory Board

PROPOSAL NO. 387, 2007 (General Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Sanders, Conley and Gray

REFERRED TO: Administration and Finance Committee

DIGEST: amends the Code regarding early retirement of employees covered by the AFSCME master agreement

PROPOSAL NO. 388, 2007 (General Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Gray, Sanders, Nytes, Boyd, Bateman, Borst, Keller, Langsford, Pfisterer, Vaughn and Conley

REFERRED TO: Administration and Finance Committee

DIGEST: establishes the High Performance Government team for the purpose of promoting efficiency in the operations of all taxing units in Marion County

PROPOSAL NO. 389, 2007 (General Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Conley and Sanders

REFERRED TO: Administration and Finance Committee

DIGEST: amends Chapter 881 of the Code regarding dance permits and licenses

PROPOSAL NO. 390, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Sanders, Conley and Gray

REFERRED TO: Administration and Finance Committee

DIGEST: appropriates \$258,880 in the 2007 Budget of the Marion County Election Board (County General Fund) to cover contractual expenses incurred during the 2006 election and to pay for supplies, software and workers for the November 2007 General Election

PROPOSAL NO. 391, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Moriarty Adams, Gray, Conley and Sanders

REFERRED TO: Administration and Finance Committee

DIGEST: transfers and appropriates \$300,000 in the 2007 Budget of the Marion County Clerk (County General Fund) to cover an anticipated shortage in postage expenses and other contractual expenses

PROPOSAL NO. 392, 2007 (General Resolution)

INTRODUCED: 09/17/2007 BY: Councillor Moriarty Adams

REFERRED TO: Economic Development Committee

DIGEST: considers Greystoke 5902, LLC's "Petition for Waiver or Reduction of Property Taxes Against A Brownfield", relating to real estate located at 5902 East 34th Street

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 393, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Pryor, Conley and Gray

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: transfers \$310,000 in the 2007 Budget of the Marion County Coroner (County General Fund) to fund the salaries and benefits of seven employees who work in the Coroner's Office in support of the forensic pathologists

PROPOSAL NO. 394, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Moriarty Adams, Conley, Brown, Gray and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: transfers \$17,567 in the 2007 Budget of the Marion County Justice Agency (Drug Free Community Fund) to the Marion Superior Court (Drug Free Community Fund) to fund drug screening and other services provided by the Marion County Drug Court and to partially fund the salary of a Community Court Resource Coordinator

PROPOSAL NO. 395, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Moriarty Adams, Conley, Brown, Gray and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an appropriation of \$45,217 in the 2007 Budget of the Marion County Community Corrections (State and Federal Grants Fund) for the purpose of a substance abuse treatment program that will be provided to offenders in the Community Corrections Center, financed by a grant from the Indiana Criminal Justice Institute

PROPOSAL NO. 396, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Moriarty Adams, Conley, Brown, Gray and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an appropriation of \$762,500 in the 2007 Budget of the Marion County Community Corrections (State and Federal Grants Fund) to cover the costs of 100 work release beds in the Duvall Residential Work Release Center, financed by grant funds from the Indiana Department of Corrections

PROPOSAL NO. 397, 2007 (General Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Gray, Conley, Brown and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends Chapter 281 of the Code, Sec. 281-323, County Officials, Boards and Commissions, Division II, Court Services, to provide for payment of parking fees incurred by jurors pursuant to IC 33-37-10-1

PROPOSAL NO. 398, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 BY: Councillors Franklin, Plowman, Conley, Brown, Gray and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: transfers \$45,000 in the 2007 Budget of the Marion County Forensic Services Agency (County General Fund) to purchase laboratory supplies

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 399, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 **BY:** Councillors Franklin, Plowman, Conley, Brown, Gray and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appropriates \$151,020 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to make improvements within the Marion County Crime Lab by upgrading computer software and adding equipment for the Biology Unit, financed by a U.S. Department of Justice grant administered by the National Institute of Justice

PROPOSAL NO. 400, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 **BY:** Councillors Franklin, Plowman, Conley, Brown, Gray and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: transfers \$25,000 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to allow the outsourcing of casework to approved/accredited private labs

PROPOSAL NO. 401, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 **BY:** Councillors Moriarty Adams, Borst, Conley, Brown, Gray and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appropriates \$63,400 in the 2007 Budget of the Marion Superior Court (State and Federal Grants Fund) to fund contractual services and supplies for technology, a Family Court project, foreign language interpretation, and Traffic Court, funded by grants from the Indiana Criminal Justice Institute, Indiana Supreme Court and Indianapolis Bar Foundation

PROPOSAL NO. 402, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 **BY:** Councillors Moriarty Adams, Borst, Conley, Brown, Gray and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: transfers \$61,058 in the 2007 Budget of the Marion Superior Court (Diversion Fund) to cover expenses for salaries which were incorrectly placed in the wrong character during budget preparation

PROPOSAL NO. 403, 2007 (Fiscal Ordinance)

INTRODUCED: 09/17/2007 **BY:** Councillors Moriarty Adams, Borst, Conley, Brown, Gray and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appropriates \$53,858 in the 2007 Budget of the Marion Superior Court (Drug Treatment Diversion Program Fund) for the Drug Treatment Diversion Program, financed by a grant from the Indiana Criminal Justice Institute

PROPOSAL NO. 404, 2007 (General Ordinance)

INTRODUCED: 09/17/2007 **BY:** Councillor Plowman

REFERRED TO: Public Works Committee

DIGEST: establishes a 20-mile-per-hour speed limit in the Copper Grove subdivision (District 25)

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 405, 2007 (General Ordinance)

INTRODUCED: 09/17/2007 BY: Councillor Lutz

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to provide that a two-thirds vote is required to end debate

PROPOSAL NO. 406, 2007 (Council Resolution)

INTRODUCED: 09/17/2007 BY: Councillors Boyd, Gray, Conley, Sanders and Brown

REFERRED TO: Rules and Public Policy Committee

DIGEST: appoints Bart Brown as a member of the Early Intervention Planning Council

IX. SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 407, 2007 (Rezoning Ordinance)

INTRODUCED: 09/17/2007 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on September 7, 2007

PROPOSAL NO. 408, 2007 (Rezoning Ordinance)

INTRODUCED: 09/17/2007 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on September 7, 2007

PROPOSAL NO. 409, 2007 (Rezoning Ordinance)

INTRODUCED: 09/17/2007 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on September 6, 2007

X. SPECIAL ORDERS - PUBLIC HEARING

XI. SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 182, 2007 (Council Resolution)

INTRODUCED: 03/26/2007 BY: Councillor Borst

REFERRED TO: Rules and Public Policy Committee

DIGEST: establishes a special committee to investigate the Indianapolis Star's allegations against Councillor Monroe Gray

COMMITTEE ACTION:

08/07/2007 Strike 4-2

XI. SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 236, 2007 (Special Resolution)

INTRODUCED: 05/21/2007 BY: Councillors Moriarty Adams, Conley and Gibson

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: determines the need to lease approximately 3,600 square feet of space at 863 Massachusetts Avenue for use by the Citizen's Police Complaint Office

COMMITTEE ACTION:

05/23/2007 Do Pass 5-2

COUNCIL ACTION:

06/11/2007 Failed due to Indecisive Vote

PROPOSAL NO. 256, 2007 (Council Resolution)

INTRODUCED: 05/21/2007 BY: Councillors Borst, Cockrum, Cain, Day, Langsford, Keller,

McWhirter, Plowman, Vaughn, Pfisterer and Brown

REFERRED TO: Investigative Election Committee

DIGEST: urges the mayor to create a bipartisan committee to re-precinct Marion County, urges the Marion County Clerk to develop a plan for the 2007 general elections, and urges the Marion County Election Board to consult with the Indiana Secretary of State and Wayne County election officials to investigate future use of vote centers for Marion County

COMMITTEE ACTION:

08/01/2007 Strike 3-3

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 334, 2007 (General Ordinance)

INTRODUCED: 08/06/2007 BY: Councillors Gray, Keller, Brown and Gibson

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to establish a crime prevention advisory board for the purpose of reviewing and making recommendations regarding funding of crime prevention initiatives and programs

COMMITTEE ACTION:

08/07/2007 Postpone until 9/11/2007 6-0

09/12/2007 Do Pass As Amended 5-0

PROPOSAL NO. 339, 2007 (Fiscal Ordinance)

INTRODUCED: 08/06/2007 BY: Councillors Moriarty Adams and Sanders

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: adopts the annual budget for the Metropolitan Emergency Communications Agency for 2008

COMMITTEE ACTION:

09/10/2007 Do Pass As Amended 7-0

PROPOSAL NO. 340, 2007 (Fiscal Ordinance)

INTRODUCED: 08/06/2007 BY: Councillors Sanders, Gray and Conley

REFERRED TO: Administration and Finance Committee

DIGEST: adopts the annual budget for the Revenue Bonds Debt Service Funds for 2008

COMMITTEE ACTION:

09/04/2007 Do Pass As Amended 7-0

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 341, 2007 (Fiscal Ordinance)

INTRODUCED: 08/06/2007 BY: Councillors Mansfield and Conley

REFERRED TO: Community Affairs Committee

DIGEST: adopts the annual budget for the Marion County Office of Family and Children for 2008

COMMITTEE ACTION:

08/30/2007 Do Pass As Amended 5-0

PROPOSAL NO. 342, 2007 (Fiscal Ordinance)

INTRODUCED: 08/06/2007 BY: Councillors Gray, Sanders and Conley

REFERRED TO: Administration and Finance, Community Affairs, Metropolitan Development, Parks and Recreation, Public Safety and Criminal Justice and Public Works Committees

DIGEST: adopts the annual budget for Indianapolis and Marion County for 2008

COMMITTEE ACTION:

08/30/2007 Community Affairs Committee - Do Pass As Amended 5-0

09/04/2007 Administration and Finance Committee - Postpone until 9/11/2007 7-0

09/05/2007 Metropolitan Development Committee - Do Pass 8-0

09/06/2007 Parks and Recreation Committee - Do Pass As Amended 5-3

09/06/2007 Public Works Committee - Do Pass As Amended 7-0

09/10/2007 Public Safety and Criminal Justice Committee - Do Pass As Amended 7-0

09/11/2007 Administration and Finance Committee - Do Pass As Amended 7-0

PROPOSAL NO. 343, 2007 (General Resolution)

INTRODUCED: 08/06/2007 BY: Councillors Gibson, Gray, Conley and Sanders

REFERRED TO: Municipal Corporations Committee

DIGEST: reviews, modifies and approves the 2008 operating budget of the Indianapolis Public Transportation Corporation (IndyGo)

COMMITTEE ACTION:

08/30/2007 Do Pass As Amended 6-0

PROPOSAL NO. 344, 2007 (General Resolution)

INTRODUCED: 08/06/2007 BY: Councillors Gibson, Gray, Conley and Sanders

REFERRED TO: Municipal Corporations Committee

DIGEST: reviews, modifies and approves the 2008 operating budget of the Indianapolis Airport Authority

COMMITTEE ACTION:

08/30/2007 Do Pass 5-1

PROPOSAL NO. 345, 2007 (General Resolution)

INTRODUCED: 08/06/2007 BY: Councillors Gibson, Gray, Conley and Sanders

REFERRED TO: Municipal Corporations Committee

DIGEST: reviews, modifies and approves the 2008 operating budget of the Capital Improvement Board of Managers

COMMITTEE ACTION:

08/30/2007 Do Pass 5-1

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 358, 2007 (General Resolution)

INTRODUCED: 08/06/2007 BY: Councillors Gibson, Gray, Conley and Sanders

REFERRED TO: Municipal Corporations Committee

DIGEST: reviews, modifies and approves the 2008 operating budget of the Indianapolis Marion County Public Library

COMMITTEE ACTION:

08/30/2007 Postpone until 9/10/2007 6-0

09/10/2007 Do Pass As Amended 3-1

PROPOSAL NO. 384, 2007 (General Resolution)

INTRODUCED: 08/27/2007 BY: Councillors Conley, Keller, Mansfield, Cain and Moriarty Adams

REFERRED TO: Public Works Committee

DIGEST: approves a public-private agreement between the Department of Public Works and White River Environmental Partnership for operation and maintenance of Advanced Wastewater Treatment Facilities and Wastewater and Stormwater Collection System

COMMITTEE ACTION:

09/06/2007 Do Pass 7-0

PROPOSAL NO. 385, 2007 (General Resolution)

INTRODUCED: 08/27/2007 BY: Councillors Gibson, Gray, Conley and Sanders

REFERRED TO: Municipal Corporations Committee

DIGEST: reviews, modifies and approves the 2008 operating budget of the Health and Hospital Corporation

COMMITTEE ACTION:

08/30/2007 Do Pass 6-0

XIII. SPECIAL SERVICE DISTRICT COUNCILS

A. POLICE SPECIAL SERVICE DISTRICT SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 336, 2007 (P.S.S.D.F.O.)

INTRODUCED: 08/06/2007 BY: Councillors Moriarty Adams and Conley

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: adopts the annual budget for the Police Special Service District for 2008

COMMITTEE ACTION:

09/10/2007 Do Pass As Amended 6-0-1

B. FIRE SPECIAL SERVICE DISTRICT SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 337, 2007 (F.S.S.D.F.O.)

INTRODUCED: 08/06/2007 BY: Councillors Moriarty Adams, Sanders and Conley

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: adopts the annual budget for the Fire Special Service District for 2008

COMMITTEE ACTION:

09/10/2007 Do Pass As Amended 7-0

**C. SOLID WASTE SPECIAL SERVICE DISTRICT
SPECIAL ORDERS – FINAL ADOPTION**

PROPOSAL NO. 338, 2007 (S.W.C.S.S.D.F.O.)

INTRODUCED: 08/06/2007 BY: Councillors Conley and Sanders

REFERRED TO: Public Works Committee

DIGEST: adopts the annual budget for the Solid Waste Collection Special Service District for 2008

COMMITTEE ACTION:

09/06/2007 Do Pass As Amended 6-0

XIV. NEW BUSINESS

XV. ANNOUNCEMENTS AND ADJOURNMENT

The President The docketed agenda for this meeting of Council having been completed, the Chair will now entertain motions for adjournment.

President's Designee Mr. President.

The President The Chair recognizes Councillor Borst.

The Councillor Mr. President, I have been asked to offer the following motion for adjournment:

by All Councillors in memory of Samuel Black.

by Councillor Pfisterer in memory of William E. Clark.

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow Councillors. I further request that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family of each person advising of this action.

The President Thank you, Councillor Borst. Hearing no objections, the motion is received and the requests are so ordered.

Hearing no further motions, we are adjourned.

XVI. PENDING PROPOSALS

PROPOSAL NO. 194, 2007 (General Ordinance)

INTRODUCED: 04/16/2007 BY: Councillor Moriarty Adams

REFERRED TO: Public Works Committee

DIGEST: authorizes intersection controls at Audubon Road and 13th Street (District 17)

XVI. PENDING PROPOSALS

PROPOSAL NO. 216, 2007 (General Ordinance)

INTRODUCED: 04/30/2007 BY: Councillor Gray

REFERRED TO: Economic Development Committee

DIGEST: seeks approval of a petition to establish the Town of Fayette, in Boone County, Indiana, which proposed town is within four miles of the corporate boundaries of the consolidated city, pursuant to IC 36-5-1-7(a)

COMMITTEE ACTION:

05/16/2007 Postpone until 8/09/2007 7-0

PROPOSAL NO. 254, 2007 (Council Resolution)

INTRODUCED: 05/21/2007 BY: Councillors Gray and Conley

REFERRED TO: Rules and Public Policy Committee

DIGEST: appoints Rodney Reynolds to the Common Construction Wage Committee for Decatur Township

COMMITTEE ACTION:

05/22/2007 Postpone 6-0

06/12/2007 Postpone until 7/24/2007 5-0

PROPOSAL NO. 268, 2007 (Special Resolution)

INTRODUCED: 06/11/2007 BY: Councillor Nytes

REFERRED TO: Administration and Finance Committee

DIGEST: establishes the maximum tax rate that may be imposed for the City Cumulative Capital Development Fund

COMMITTEE ACTION:

06/19/2007 Do Pass 5-0

PROPOSAL NO. 269, 2007 (Special Resolution)

INTRODUCED: 06/11/2007 BY: Councillor Nytes

REFERRED TO: Administration and Finance Committee

DIGEST: establishes the maximum tax rate that may be imposed for the County Cumulative Development Fund

COMMITTEE ACTION:

06/19/2007 Do Pass 5-0

PROPOSAL NO. 284, 2007 (General Ordinance)

INTRODUCED: 06/11/2007 BY: Councillors Nytes, Mansfield, Keller and Sanders

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to add a section regarding the use of vehicles that are owned or leased by the city and county

COMMITTEE ACTION:

08/07/2007 Postpone until 9/18/2007 6-0

PROPOSAL NO. 299, 2007 (Council Resolution)

INTRODUCED: 07/23/2007 BY: Councillors Sanders, Gray, Conley, Brown and Nytes

REFERRED TO: Administration and Finance Committee

DIGEST: approves the Installment Tax Payment Plan for certain real estate taxes

COMMITTEE ACTION:

08/07/2007 Postpone until 9/5/2007 7-0

XVI. PENDING PROPOSALS

PROPOSAL NO. 302, 2007 (Special Ordinance)

INTRODUCED: 07/23/2007 BY: Councillor Sanders

REFERRED TO: Administration and Finance Committee

DIGEST: approves the issuance of bonds to provide revenues to fund a homestead credit to help reduce residential property tax bills

COMMITTEE ACTION:

07/31/2007 Postpone until 8/14/2007 6-0

08/21/2007 Tabled 6-0

PROPOSAL NO. 318, 2007 (General Ordinance)

INTRODUCED: 07/23/2007 BY: Councillors Gray, Sanders and Conley

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends Chapter 536 of the Code to institute a green building rating system that provides specific principles and practices that may be applied during design, construction, and operation phases of buildings to achieve LEED certification

COMMITTEE ACTION:

08/07/2007 Postpone until 9/18/2007 6-0

PROPOSAL NO. 335, 2007 (Council Resolution)

INTRODUCED: 08/06/2007 BY: Councillors Plowman and Sanders

REFERRED TO: Rules and Public Policy Committee

DIGEST: requests that the Metropolitan Development Commission stop granting new tax abatements, except in extraordinary circumstances, until such time as the new reassessment is completed

COMMITTEE ACTION:

08/07/2007 Postpone until 9/18/2007 5-0

PROPOSAL NO. 359, 2007 (Special Ordinance)

INTRODUCED: 08/06/2007 BY: Councillor Sanders

REFERRED TO: Administration and Finance Committee

DIGEST: authorizes the issuance and sale of bonds for the purpose of providing funds to be used to pay the City's pension obligations incurred prior to May 1, 1977 and incidental expenses in connection therewith

PROPOSAL NO. 361, 2007 (General Ordinance)

INTRODUCED: 08/06/2007 BY: Councillor Sanders

REFERRED TO: Administration and Finance Committee

DIGEST: amends Sec. 192-103 of the Code, Compensation of county elected officers, to allow for a 3% increase in pay scales effective January 1, 2008